A

LETTER

To *A, B, C, D, E, F,* &c.

Concerning Their

ARGUMENT

ABOUT A

Standing Army;

Examining their Notions of the ſuppoſed *Gothick*, or other Ballance, by the Conſtitution and Intereſt of the *Engliſh* Monarchy.

You are weighed in the Ballances, and found wanting.

——— *Vel Brutus amaret,*
Vivere ſub Regno tali. ———

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BIBLIOTHECA BODLEIANA

A LETTER to A,B,C,D,E,F, &c.

Concerning Their

ARGUMENT

ABOUT A

Standing Army.

BElieving, Gentlemen! that I have given as good Proofs as any of you, of constant Affection to the true Constitution of the *English Monarchy*; I shall the less apprehend your Censure of (*a*) *Apostacy*, and being a (*b*) *Conspirator* against my Country, if I publickly dissent from your Politicks, till better Information. (*a*) Pag. 5. (*b*) P. 17.

I must own my self to be one of them, *who in the late Reigns could hardly afford* our Kings so much *Perogative, as was necessary to put in motion this Machine of our Government*: being assured, that whatever Power was either in *C.* 2. or *J.* 2. would be Pag. 5.

uſed to Ends quite contrary to thoſe, for which ſuch Power was *Originally truſted* with the Crown.

And ſhould you be uniform in your Notion of this Government, and hold, that it is nothing elſe but the *Meeting of your three States in Parliament*; I muſt own, there were Times when I was for clogging its *Wheels*: having ſeen how far the *long Pentionary Parliament* had advanced, towards putting on our Chains; till even they were ſenſible, that the Papiſts were ſupplanting 'em; and were turn'd to Graſs, for preſuming to enquire into a Plot, to which themſelves had ſottiſhly contributed.

Pag. 3.

After this, indeed, to follow the Alluſion, the *Machine* began to move *naturally*; the Guards, and the Papiſts with their Adherents; were ſo inconſiderable an handful, in compariſon of the People; that notwithſtanding the utmoſt Exertion and Expences of the *Court*, and of ſome Great Men, who blindly ſerved that Intereſt; and I may add, the whole *Poſſe* of one of the Ancient *States* of the Realm; the collective Body of the People, who, with a King at the Head of 'em, have fairer pretence to be the Government, than a Meeting of your *three States*; prevailed at Elections, to have ſuch Men returned to ſerve in two ſucceſſive Parliaments, as would in all Events approve themſelves to be *Engliſhmen*: and, if they had been ſuffered to Sit, would have prevented that Neceſſity which we ſince had, of a Deliverance by a Foreign Power.

Then, I muſt confeſs, I was for rubbing up thoſe old Manuſcrips, together with an Obſolete Statute; which Queſtion, the Prerogative for ſometime, aſcribed to the Crown, to diſſolve Parliaments at pleaſure: I am ſure, at that time, the *Machine* would have moved more *naturally*, without ſuch Prerogative.

However, that was exercis'd with the loud Applauſes of many of your *new Friends*, and *Muſhroom Patriots*, who will fall from you as faſt as they roſe; and that the *Prerogative* might act more *naturally*, and *perform its Function*, the Charter of the City of *London* was condemned, by an Illegal, Unpreſidented, and Arbitrary Judgment: Many others were taken away by Force, or Fraud, and new Charters granted; in ſome of which, not only the Governing part, who were poſſeſſed of the Returns, but the very Electors were named by the Court. And then the Meeting

ing of the King with the Lords, and these Garbled and new coated Commons, was what you call the *Government*: and according to your Notion, for the People to have cast them off, would have been Treason against the Constitution; tho as you may learn from Bishop *Bilson*; the *People ever reserv'd to themselves a Power to preserve the Constitution.*

No doubt, your two States acted to your Minds, at their first Meeting the late King, when mighty Endearments pass'd between 'em: and They had certainly parted as kindly as they met, had not his Triumph over the Duke of *Monmouth*, with his blind Zeal for Popery, transported him to that Indiscretion, which made the then *Commons* see, the Papists were coming too fast and too thick into their Places: some, they would have been contented with, and would have suffered the *Frogs to croak in the King's Pallaces*; but were loath to quit the Rooms to 'em.

But whatever you think, I can never reckon, that the Government was then possessed by *Patriots*: and I shall refer it to cooler Heads, whether I ought to incur your warm Censure? if I think your Argument far from Demonstration, that, in our present Circumstances, we have no occasion for any regular Forces, or so much as the ordinary Guards: but that the Defence at Land, of our Religion, Laws and Liberties, under the great and glorious Preserver of them, ought forthwith to be trusted wholly with a Militia, which your selves confess, not to be yet sufficiently Disciplin'd, nor is according to your Scheme of Government; had its first Institution in the Reign of *C. II.* and since that time, has signaliz'd it self by such Noble Exploits, as by your own confession, the present Army can never be brought to. Page 29.

It is well known, and has been proved in Parliament, how that *Militia* broke in upon the Freedom of the Elections of Sheriffs for *London*, and made way for the false Return of Sheriffs chosen by the Court. This drew out that invaluable Blood, which ten times the number of the Forces then in Pay, durst not have attempted: that *Militia* interposed at Elections to Parliaments, as much as their Courage and Opportunities served, and often kept Electors by force from Polling, and terrifyed others

with their Muskets loaded with Powder and Ball; and tho' they fought not againſt the Duke of *Monmouth*, made a more Barbarous War upon peaceable Voters for Parliament Men; the having Voted for a good *Engliſh Man*, being ground enough for the committing Men to the Cuſtody of theſe *Well bred Gentlemen*, whoſe Inſolence was much worſe than the Confinement. And they who had the good fortune to be removed from them into Garriſons, found a Difference, enough to conquer all Prejudice againſt Regular Forces. Then, according to the known Obſervation of that great Man, Chief Juſtice *Hales*, "the Scarlet "Gowns in *VVeſtminſter Hall*, were more dangerous and formi- "dable than the Red-coats; and the *bene placito* Judges, with bigotted Juſtices of the Peace, and Deputy-Lieutenants, loo'd on from the Pulpits, made a *Militia* much more deſtructive of our Conſtitution, than thoſe Regular Forces are likely to be, which had as legal a Commencement, and have been made uſe of for better Purpoſes.

I know, Gentlemen! That I Labour with a great diſadvantage, in offering any thing againſt an Argument, which two ſorts of Men Induſtriouſly extol, as the moſt perfect that ever ſaw the Light; and who have before hand prejudg'd all anſwers as ſad and contemptible. Therefore it will be requiſite to ſhew ſome of your Imperfections, before I enter upon the Merits of the Queſtion.

I will allow, that you have made a choice Collection of Events, which have happen'd in ſome Ages of the World, and in ſome Pag. 5. Places; and if *what has happen'd yeſterday*, or in former times, Pag. 8. *will come to paſs again*; *and the ſame cauſes will produce like effects in all Ages*; the Story of *Piſiſtratus*, his making himſelf Tyrant of *Athens* by the allowance of fifty Guards, may be very pertinent to our Times. But when you think of the Matter again, you will qualify your Maxim, and confeſs, that the ſame cauſes will not produce like effects, unleſs the ſame Circumſtances concur, in patients as well as agents. A little therefore, to follow you in your applying Scripture, I may ſay, moſt of your inſtances are like the putting *New Wine into Old Bottles*. But, to uſe the context, which occaſion'd our Saviour's Compariſon; *Can you make the Children of the Bridegroom faſt while the Bridegroom is with them?* Or muſt an Argument againſt all regular Forces

Forces be good now, because it may be hereafter, or was in the late Reigns?

If according to one of *your Scoticisms*, there should happen *a deposition of our Arms in other Hands* than the *Militia*; that is, as far as I understand the Dialect and the Subject Matter; if we should wholly lay aside our *Militia* for an other Land-Force; then, and not before, might your diverting Story of the *French Colony* in the *West Indies*, who made their Slaves carry their Arms, be very pointing. Pag. 7.

When you can make a setl'd Government of that Parliament, as you call it, under which you say *Oliver Cromwell* serv'd, or of that Government which General *Monk* displac'd, to bring in *Charles* II. then you may have the greater colour to suppose as much probability, that King *William*, or his *Protestant Successor*, should use the Army to destroy our Constitution; or that the Army should bring in King *James*: And with the same strength of Imagination, with which you now apply those Examples, you may believe, and expect to perswade others, that *Cromwell* enslaved the Nation with an Army of but 17000, and that this ought to warn the Lords and Commons against trusting His Majesty with the like Force, tho' all or much the greater part compos'd of *English* Men: but upon second thoughts, possibly, you may confess. Pag. 10. Pag. 28.

1. If *Cromwell left* behind him but 17000 Men; yet 'tis no Argument, that he made use of no more in the bringing about his design: and 'tis certain more had been under his Command, in *England*, *Scotland*, and *Ireland*.

2. If that instance were to the purpose, it would as much conclude against trusting the King with the Command, even of the regular *Militia* which you propose.

3. If *Cromwell*'s Government was as much the choice of the People, as the Government which gave way to him: this cannot be imputed to the Army, but rather to the Inclination of the People to a Monarchical Government: and it is pass'd doubt that he had made himself King, with the full consent of the People, if he had not feared the Army, who in your sense, were the most opposite to his Enslaving the Nation.

4. In thinking that he Enslav'd the Nation, because of setting aside a Limb of a *Parliament*; you seem more Common-wealths-

Men

Men than Mr. *Harrington*, who certainly meant *Cromwell* by his *Archon*, in whom he thought it neceſſary to have a Legiſlative Power lodged; becauſe, unleſs it were in a ſingle Perſon, the Nobility and Gentry could never be brought to his Opinion: and indeed *Cromwell* may be thought poſſeſs'd with that Notion, when he encreaſed the number of the Repreſentatives for Counties.

If you build upon Mr. *Harrington*'s Foundation, 'tis certain you can have no other *Archon* but K. *James*, or the K. of *France*: for you ſhew plainly you will not truſt him, who like another *Moſes*,
Pag. 6. has brought you to that proſpect of the *Land of Promiſe*, which you ſo pleaſantly entertain your ſelves with, and ſeem already to poſſeſs in thought.

And when we are in that *Utopian State*, with which ſome very few Men's Brains are heated; then it may be proper to obPag. 7. ſerve what Maxims prevail'd among the *Athenians*, *Corinthians*,
Pag. 6. and other petty *Grecian Common-wealths*: But I muſt not allow
The *Iſraelites*, *Athenians*. you the *Iſraelites*, either before they had a *King*, *like the Nations round about them*, or after: Not before, becauſe, contrary to your ſuppoſal, they *ſuffered* ſome *of their Subjects to make War*
Pag. 7. *their Profeſſion*, having *Men of War* diſtinguiſhed from others; but chiefly, becauſe God himſelf was not only their Lawgiver, but kept the Adminiſtration in his own hands; and then there was nothing for your Ballance, between natural and artificial Strength, to work upon: nor could your *Machine* move more naturally, after a King was appointed; for the ſame Divine Authority fix'd the Bounds between the Prince and People: in Differences between 'em, which would admit of ordinary Remedies, the *Sanhedrim* had ſome Power to keep the Ballance even. In extraordinary caſes, God himſelf interpoſed, thro' the Miniſtry of the Colledge, or order of Prophets, which was to continue to the coming of the *Meſſiah*; or, by the Illumination upon the *High Prieſt's* Breaſt-plate: but to confeſs my Ignorance, you are the firſt that inſtructed me, in their wearing the *Urim*
Vid. Dedic. and *Thummim* on their *Backs*, as well as Breaſts. If we conſider the ordinary means their Kings had, of ſupporting their Power, and protecting their Subjects; what think you of the ſelected Band of 3000, of which 2000 attended upon their firſt King, 1000 upon his Son? Or do you believe *Samuel* a falſe Prophet,

when

when, describing that manner of their Kings, which some of your Friends have argued to be their Right? He tells 'em,

'He will take your Sons, and appoint 'em for himself, for his 'Chariots, and to be his Horsemen; and he will appoint him Cap-'tains over thousands, *&c.* and he will take your Fields and your 'Vineyards, and your Olive-Yards, even the best of 'em, and 'give them to his Servants.

Notwithstanding which, *David* made an Honourable Defensive War against King *Saul*, and once had the King's Person in his power.

And afterwards, when *Rehoboam* went to *Sechem*, where all *Israel* held a Convention for the making him King; he having headily rejected those Terms, upon which the Crown was offered; was forsaken by ten of the Tribes, who were a regular Army, with Tents ready pitched in the Field; and no sooner was the word given, to your Tents, O *Israel!* but they were in a condition to chuse a new King, and to make good their Choice.

But I wonder not, to find you confound Examples of the *Israelites*, and other People, when respectively under different Forms of Government; since your Notions of those Governments which you would be thought best to understand, are confused, and ill judged; the manifestation of which, might supersede the trouble of tracing you from Mr. *Harrington*'s *Oceana*, from whence you derive your *Gothick* Ballance, and Notions of the *Grecian* Common-wealths; which, how contrary soever, you would adapt to a Scheme of your own, Differing even from Mr. *Harrington*: and possibly, may think your selves able to new model this Government; the *Machine* of which, let me tell you, can never move naturally, but under a King. Yet of all Men, they, who are vain enough to think, if we should be deprived of his Majesty, the Light of our Eyes, a Common-wealth would (like a new Creation,) rise out of that State of Darkness and Confusion; have the least cause to inveigh against an Army: for if (as you observe) *Sixteen Roman Emperors* out of Twenty six, *were deposed and murdered by their own Armies*; according to your Inferences from what has hapned, an Army is most likely to give you opportunity of new modelling this Government. But I may well say, having your Authority for it, it is not to be conceived, Pag. 27.

That the Nobility and Gentry will join in an unnatural Deſign, to make void their own Titles to their Eſtates and Liberties; and therefore your Author will tell you, that they are not fit Subjects for a Common-wealth, unleſs they will mightily abate of their Plumes. But that virtuous Army, which you applaud, had it in their heads, that they were endued with all the Virtue of the Nation: hence they garbled the Houſe of Commons, till they got a *Junto* to Vote no farther Treaty with K. *Charles* I. The Agitators and Levellers of the Army, propoſing to themſelves that *Agrarian* Law which greater Men had attempted in vain; were very ſanguin in their Hopes of bringing things to *Mr. Harrington*'s Ballance of Power, in Property, more equally divided than was allowed in that Law, by which Men enjoyed their Honours, and other Inheritances. For the ſake of this, the Conſtitution was to be inverted; and, according to your *Grecian* Schemes, the Commons were to Engroſs the Power, and Lords to come down to their Level.

Theſe *Chimera*'s encountring and prevailing over the Phantom of an Abſolute Power in the *Prince*, derived down from *Adam* (where-ever his Heir, who had the *Divine Right* of it, hapned to be) brought C. I. to the Block; under an Upſtart Court of Juſtice, which derived its Authority from the Army.

Upon which occaſion, I cannot but think, that thoſe Denunciations of Judgments againſt the whole Nation, which are thundred from the Pulpits every *Thirtieth of January*, for the Death of *C.* I. are juſt as proper as your Examples now, of what has hapned in *Common-wealths* many Centuries paſt.

But pray, Gentlemen! be not ſo fond of your Notions, as from your Maxim, *what happened yeſterday will come to paſs agdin*, to conclude, that becauſe there once was a proſpect of your Promiſed Land from *Mount Piſgah*; when ſome were elevated to the Hopes of Eſtabliſhing that State, which, like another *Delos*, the Birth-place of *Apollo*, had long been floating in their Imaginations; that therefore you can come ſo near again.

You may remember, that it was the Obſervation of a Great, tho' Unfortunate Man, ſince Dead, who uſed to entertain himſelf with ſuch Schemes, that *there is not Virtue enough in the Nation for a Common-wealth*: Beſides, where are your *Eſſex*'s,

Fair-

Fairfax's, and *Cromwell*'s, to execute such great Undertakings? And what likelihood is there of a Concurrence of those various Circumstances, which brought it upon the Stage, as a transient Scene? Tho' we will allow Mr. *F——n*, not to mention any other, like *Julius Cæsar* to excel *tam Marte quàm Mercurio*; yet there is now no probability of *Laudæan* Impositions, to bring *Scotch* Generals hither.

But, as our Question relates to the *English Government*, you must pardon me, if I doubt, whether you understand our Constitution as well as you would be thought to understand the Constitutions of all other Nations, but chiefly of *Republicks*.

If *the meeting of Three States in Parliament* is what you *call our Government*, where is our Government while there is no meeting of Parliament? By what Authority do they meet? And from what Authority can our Country, when under any *unhappy Necessity, defend it self by Arms against the Ambition of its Governours?* Or chuse New, upon any Forfeiture, Dereliction, or other *Vacancy* of the Throne? Pag. 3. Page 12.

You seem to be very conversant with the *Gothick Ballance*, which you say, upon Mr. *Harrington*'s Authority, not observing to what end he used it, *was Established in all Parts of Europe:* Now Gentlemen I should be obliged to you, if you would vouchsafe to inform me, in what part of *Europe*, King, Lords, and Commons, have made the *Three States?* As you are acquainted with the best Authors, I doubt not but you often meet with the *Ordines Regni:* I need not put you in mind of *Grotius*, *Conringius*, and others, since you have so lately read Mr. *Harrington*, from whom, in this particular, you take the liberty to dissent: but I would gladly learn, whether *Ordines Regni*, and *Status Regni*, are used in different Senses, in any of those Approved Authors? And whether they were not the *States* of a Kingdom, which *Grotius* held to have Authority to Resist a King, if he should Usurp upon what was duly vested in them? Pag. 4.

Farther yet, when we had Leagues with *France*, and even with *Scotland*, Ratified by the respective Kings, *& tres Status utriusq; Regni*, how could any of those Kings be One of the *Three States?*

Truly, Gentlemen! with submission to your Judgments, I must needs say, I see no harm in admitting that the Clergy are

one of the *Three States*; not only as the Legiſlative Power has given Law to theſe *States*, in limitting their Power, and ſetting aſide part of 'em, the Mitred Abbots; but as *a State in Parliament* is far from implying *a diſtinct Negative*: For if it does, according to the Ancient *Modus tenendi Parl.* there are *Five Negatives*, beſides the King's: And according to a Statute which I could ſhew, the *Citizens* and *Burgeſſes* are not only a *diſtinct State*, but the only Commoners repreſented in Parliament.

If ſtill you would be underſtood according to common ſpeaking and intendment, in relation to the *diſtinct Negatives in Parliament*; then you muſt give up the Controverſie which your Predeceſſors had with King *C.* I. about the doubtful meaning of *leges quas vulgus elegerit*, by which the Commons urged, that the King was obliged to paſs whatever Laws they ſhould chuſe; though, as Truth is my Maſter, I muſt tell you, that Clauſe is no part of the moſt Ancient *Rituals*, before, or ſince the *reputed Conqueſt*; nor is it now kept in.

However, I conceive you would be hard put to it to prove, that *Three diſtinct Negatives* have been Eſtabliſhed all over *Europe* by the *Gothick Ballance*. Suppoſe one ſhould be at the Pains to prove, that Lords and Commons Voted together, for ſeveral Reigns after the *Norman Revolution*; and if, after the Diviſion of the Two Houſes, one ſhould ſhew you ſeveral good and binding Laws, by Virtue of the King's Anſwer to the Petition of the Commons, (admitting that it were not without the Advice of the Lords) how many diſtinct Negatives were there during thoſe Times?

To tell you the Truth, in this particular as in others, I could ſhew you, the tacit Conſent of the People, in ſuffering Matters to grow into Cuſtoms, together with Laws choſen in Parliament, have varied the ſeveral Means of Preſerving our *Fundamental Conſtitution*: But if one can well apply an uncertain Notion, the Ballance has been ſometimes chiefly with the *Lords*, ſometimes with the *Commons*; and, tho' the *Ballance of Property* was never with the *King*; the great Merits and Reputation of ſome of our Kings, have placed the *Ballance* of Influence, which inſenſibly ſubdues the greateſt *Natural Strength*, chiefly in them: Nor can I be thought to Flatter, when I ſay, the *Ballance* not

only

only of this Nation, but of *Europe*, is in the Hands of *King William*; who uſes his Power ſo much for the good of Mankind, that it muſt needs take from the popularity of any Method likely to remove it out of his Hand; after he has Glorioufly wreſted it from a Powerful Prince, with vaſt Forces, entirely United, and Governed by the moſt Conſummate Humane Wiſdom and Experience.

But, Gentlemen! how much ſoever you may oblige His Majeſty, by your generous Confidence in him, ſuitable to thoſe ineſtimable Benefits you have received from him; certainly, the *Nobility*, and *Gentry*, are much beholding to you, for your recommending the Re-eſtabliſhment of the *Tenures*, which had ſo long been their Grievance, and the deſtruction of ſo many Families: for you in effect, tell 'em, without a *Militia* ſo *conſtituted*, there can be no Safety.

But, ſince you intimate, that all Nations, who have preſerv'd their Liberties, preſerv'd 'em by a *Militia* thus conſtituted. I thank you for ſupplying me with an Argument, which I never thought of, againſt the Suppoſition, that *feudal Tenures* were *Badges* of a *Conqueſt* by the *Normans*: for, it ſhould ſeem, they were in uſe among the *Athenians*, *Achaians*, *&c.* but then, how came they from the *Gothick* Ballance, which muſt be agreed, to have had a much later Eſtabliſhment? And if your main Hypotheſis fail, what becomes of an Argument founded upon it?

If you will ſay, That how great ſoever our Miſtake may be in this, the Subſtance is true, That the *Militia* muſt conſiſt of the Proprietors, or we cannot be ſafe: and this is illuſtrated by the inſtances, where other Armies have deſtroyed the Governments; but they which have flouriſhed for any time, always preſerved this Method; if ſtill the *Militia* you now contend for, be not ſuch an one as obtained in thoſe Governments, nor anciently here, do you not conclude either contrary to, or without Premiſes?

After all, I take our *Saxo-Britiſh* Ballance, to be much better, and of greater Antiquity and Security, than your *Gothick*: which you may remember, your Maſter mentions by way of diminution, as of barbarous Extraction, and fit to be aboliſhed: and yet this, which that more skilful Maſter-Builder rejects, you would make your *Corner-Stone*.

Our *Ballance* is neither your *Gothick* upon Tenures,

Tenures, not Mr. *Harrington's Agrarian*; which, notwithstanding the vaſt encreaſe of the Riches of this Nation by Trade, and the great intereſt that Cities and Boroughs have had in the Government, from before the *Saxon* Times, would fix it upon Property in Land: but, as the Liberties of this Nation, have been the true ground and encouragement to preſerve 'em, the *Corner-ſtone* of that Liberty was laid in a Free Election of the chief Officers both in Church and State, or at leaſt, of the means to ſupport 'em; and this by the People of the Land, in whoſe Hands the true Ballance of Property, has reſided: This is the moſt viſible means of preſerving the diſtinct Rights of *King, Lords*, and *Commons*, and has a mighty tendency towards keeping the *Ballance* of Power in a due libration, turning it ſometimes one way, and ſometimes another, according to preſent Emergencies: and whatever Shocks may have hapned, from unforeſeen Accidents, and extraordinary Interpoſitions, or Permiſſions, of a Power over-ruling all Events: This has preſerved, not only the Outward, but the Eſſential Form of our Government.

Pag. 4. The Lords were not, as you imagine, the great Commanders over the *Militia*, meerly by Virtue of their Caſtles and *feudal Honours*, but by the free choice of the People: and thoſe Honours and Authorities which have gone along with Tenure, proceeded from the ſame Choice; without which, the *Saxon* Kings could not make any Grants of that kind.

Pag. 5. You ſay, more truly then you think, That the *Militia did conſiſt of the ſame Perſons as had the Property:* But then you muſt agree, that without the Obligation of Duty and Oaths, upon your ſuppoſed Ballance between the *Natural and Artificial Strength*, no Prince could have been duly ſecured; unleſs you come to the down-right Common-wealth Principle, that a *Prince* ought to have no Power to defend himſelf, if they who have the *Natural Strength* ſhould think fit to remove him, tho' without any cauſe, but a ſudden Humour, or groundleſs Jealouſy.

But you may learn of Mr. *Harrington*, That the Modern *Militia* is directly contrary to all his and your Politicks: you have
Pag. 6, 7. learnt from him, 'That the *Iſraelites*, *Athenians*, *Corinthians*, '*&c.* trained their own Citizens, and the Territories about 'em, perpetually in Arms; and their whole Common-wealths

'by

'by this means, became ſo many ſeveral *Militia's*. A general 'Exerciſe of the beſt of their People, in the uſe of Arms, was the 'only Bulwark of their Liberties, *&c.* Their Arms were never 'lodged in the Hands of any, who had not an intereſt in preſer-'ving the Publick Peace, who fought, *pro Aris & Focis*. In 'thoſe days, there was no difference between the Citizen, the 'Soldier, and the Husbandman.

But Gentlemen! Is this the caſe now? *Riſum teneatis Amici?* Can you forbear Smiling at the ſimplicity of Mankind, to find, how many ſwallow your Notions; becauſe you talk ſo finely for Liberty, a *Militia* to defend it, and Engineering in your Studies?

Pray read Mr. *Harrington* a little more carefully, before you attempt any more to build Caſtles at *Anticyra*. He will tell you,

'Modern Prudence is quite contrary unto the Ancient; for 'whereas, we excuſing the Rich, and *Arming the Poor, become* 'the *Vaſſals of our Servants*: they by excuſing the Poor, and 'Arming ſuch as were Rich enough to be *Freemen*, become Lords 'of the Earth. *Oceana*, f. 228.

Is not your *Militia* according to that *Modern Prudence*, which he condemns? But ſurely, you have much better Heads than your Maſter, if meerly by ſuch a *Militia* as he would have changed; for that of the ancient Common-wealths, you think to eſtabliſh one here; or to retrieve the Glory of the *Engliſh* Nation, which as I ſhall ſhew, has been preſerved by much better means than the imagined *Gothick* Ballance.

To ſet your Miſtakes in a true Light, I ſhall ſhew more largely, than your Arguments may require; yet poſſibly, not without ſome Benefit to the Publick.

1. That our Conſtitution is of earlier Date, and more popular than you with Mr. *Harrington*; and Dr. *Brady* will allow, and was defended by another ſort of Militia, than that by which you think it ſubſiſts.

2. The Situation of our Kingdom, has leſs ſecured the Conſtitution, than its own intrinſick Excellence, with the Valour and Integrity of the People: yet the continuance of our Conſtitution to this day, has been chiefly owing to *Divine Providence*, ſupporting it under, if not by, Alterations in your ſuppoſed *Ballance*.

3. In

3. In your Notion concerning the Ancient and Modern means, of preſerving our *Conſtitution*, you are inconſiſtent with your ſelves; the Author of your Politicks; the truth of Hiſtory, and right Reaſon.

1. The Government you make to conſiſt of *three States* united by *Tenures*, for Counſel and Fight: which you ſuppoſe to be derived from the Barbarous *Goths*. But I am afraid, you obſerve not what Company you keep, but inſenſibly fall into Dr. *Bradie*'s Notion of the Tenants in Chief, with their Tenants by Military Services: yet I cannot ſay, but he might have learnt this of Mr. *Harrington*; and indeed, as it will appear, both have uſed that Notion to the ſame end: only, the Doctor has not the Gift of ſo much Conſiſtency, as the Commonwealth's Man: for the Doctor, after he had ſuppoſed theſe Tenures, firſt brought in by an abſolute Conqueſt, in another Book, without ſeeming ſenſible, that he labours againſt himſelf, ſpends ſome Leaves in proving theſe Tenures here before. But both are manifeſtly miſtaken, in ſuppoſing, that the whole Kingdom conſiſted of 60000 Knights Fees, or ſuch like number, furniſhing ſo many Men for the King's Service, which (as Mr. *Harrington* thinks) were the *Militia* of this Monarchy; but, *Recta Linea eſt Index ſui & Obliqui*, which encourages me to preſent ſome of the Out-lines of our Conſtitution.

Oceana, f. 37.

I muſt take leave to diſſent from their Opinion, who will have it an *exotick Plant*, from the *Romans*, the *Goths*, and the *Normans*; but as our *Druids* (who were skill'd in all the Learning of the *Grecians*,) taught the *Gauls*, and *Edward* the Confeſſor, the *Normans*, I rather believe, the Neighbouring Nations refin'd themſelves by our Politicks; who being a thinking People, of Martial Diſpoſition, and great Integrity, took to our ſelves ſuch Laws as we found agreeable to our *Situation* and *Intereſt*: and of ſuch kind they were, that whatever people incorporated with us, tho' they might be indulged their particular Cuſtoms in ſome Diſtricts or Colonies; the Fundamentals ſpread over the whole Nation, and that eſpecially which *Rome* took from *Greece*; *Salus Populi ſuprema Lex eſto.*

In purſuance of this, whatever Government prevailed among the ſeveral Diviſions of Men here, upon any ſudden danger, they choſe one who was *Rex primus*, of the nature of a *Roman* Dictator:

tor: Thus, in the time of *Julius Cæsar*, the *Supream Administration of the Government*, and the War was by *Common Council*, permitted to *Cassivelan*: and, tho' *Cæsar* has no occasion to observe the Nature and Power of our *Common Councils* then, yet we may very well understand 'em from those of the *Gauls*, the Disciples of our *Druids*.

Summa Imperii Belique administrandi, communi Consilio permissa est Cassivellano.

Then indeed, the *Plebs* were not admitted to their *Councils*; but they were only the Servants: all the rest, were either *Druids*, or *Solaiers*. All these were Members of the *Great Council*; but yet the Government was not according to your Scheme: for the *Druids* were wholly exempt from the Wars, and yet maintain'd an Authority so far, that the Judicial Power resided in them; and at a certain time of the year, all People took the Law from their Mouths.

This Authority was of a long continuance; tho' there was not your Libration between the *Natural* and *Artificial Strength*: and indeed, 'tis a common Observation, that in almost all Governments, the *Moral Power*, which you call the *Artificial*, is weaker than the *Natural*; and yet, Sense and Duty, and common Conveniencies, but above all, Divine Providence, hold 'em very well together.

But, whatever were the Authority of the *Druids*, or yet of their Princes; it was not permitted 'em, to entertain any Debates concerning the Commonweal, or Interest, but in the Great *Council*. And how much soever, the free Exercise of the *British* Liberties might sometimes be restrained by the *Romans*, 'tis certain, upon being forsaken by them, they chose Kings to themselves, and often set 'em aside; sometimes with cause, sometimes without. Thus it was, till the coming of the *Saxons*: soon after whose Entrance, there certainly rose among the *Britains*, that *Inclitus Rex Arthurus*; whose whole Character, some will have to be Fabulous: but I have it from Authorities much more ancient than *Geffery of Monmouth*, that he was *Dux Bellorum*. I can shew an *Inspeximus* of a Charter of *Hen.* II. which proves a Charter of that *Inclitus Rex Arthurus*, then extant: an Author of no mean Repute, who seems to have Transcribed part of the *Domebec*, or Book of Judgments, referr'd to in the Laws of *Edward*, the Son of King *Alfred*; derives Customs down from the time of King *Arthur*: and the *Confessors* Law receiv'd, and

De Republica, nisi per Concilium, loqui non conceditur.

Inter Ann. 514 *et* 515

ſworn to by *W.* I. ſhews, that King *Arthur* laid the Foundation of the *Britiſh* Monarchy, by providing, that there ſhould be a *Folcmote*, or Aſſembly of all People and Nations, under the King's Protection and Peace: where they were by *Common Council*, to provide for the Indempnities of the *Crown of the Kingdom*, and for ſuppreſſing the Inſolencies of Malefactors, for the good of the Kingdom.

This *Folcmote* was, by that Conſtitution, to be held at a certain fix'd day: the the Princes, Earls, and all the *Free-men* of the Kingdom, were to be *Sworn-Brethren*, to defend the Kingdom, with their *Lord the King*, his *Lands* and *Honours*.

In this of being *Sworn-Brethren*, ſomething of the *Frank Pledges* ſeems implyed; but that Inſtitution was at leaſt greatly improved in the *Saxon* Times, when ſeveral Laws were made concerning 'em; but none that I obſerve, ſeem firſt to raiſe theſe Pledges, but to ſuppoſe 'em. The whole Nation of *Free-men* was by *Tenns* in a Company, and thence to *Hundreds*, to be Aſſociated by Oaths, and Sureties for one anothers Obedience to the *King* and *Laws*. The Maſters of Families were to be Sureties for their Servants; and if any Man refuſed to enter into this *Aſſociation*, or if others would not Aſſociate with him, he was deemed an Out-law, deprived of the Protection of the Laws; and, to Anſwer your Tale of the *Wolves Teeth*, was held to have a *Wolves Head*.

Pag. 18.

For the better maintaining this *Aſſociation*, all Men were to furniſh themſelves with Arms, according to their Eſtates, Real and Perſonal; and at a certain Day in the Year, were in Perſon, to appear with their Arms, in *Cities*, *Boroughs*, *Hundreds*, and *Wapentakes*, and to be ready to obey the King's Command.

By Virtue of this Law, *Ethelred* cauſed all the *Danes* then in the Kingdom, to be kill'd in one day.

At theſe Times, the *Militia* and Civil Government, were entirely in the ſame Hands: but, if you reſort to your *Ballances*, how much was there in it of your *Gothick*, upon Military Tenures? or, how could the King, with the higher *Nobility* and *Clergy*, preſerve their Authority againſt the Property in the others? which according to Mr. *Harrington*, will naturally carry the Power; or the *Natural Strength* of theſe Armed Proprietors; who, upon your Hypotheſis, muſt neceſſarily have caſt off both

both King and Lords: for you know, It *is universally true, that where ever the* Militia *is, there is, or will be the Government in short time.* But yet, notwithstanding the vast Over-Ballance of *Natural Strength* in the Proprietors of the Kingdom, who had such opportunities of executing any Design they should be tempted to, yet the Laws, enforced by the Religion of Oaths, for many Centuries continued to work Impossibilities, according to your Notion. Pag. 4.

The *Machine* of our Government in those Times, may seem too large and unweildy for Motion, especially if it be observed, that for great part of the time, it took in the whole *British* Island; having one King, who had the Stile and Authority of King of *Great Britain*; tho' that was often desultory, till it fix'd in the *West Saxon* Monarch.

But the Government, even in your sense, as a Meeting of the States of the Realm, will be more accountable, if we consider,

1. That till the time of *Cnute* the *Dane*, there was no one Monarch over the whole People, even of this Nation, any otherwise than as first King, or chief in Authority among others, who were Kings within their own Divisions.

2. That they had their distinct *Councils*; yet the *Saxons*, with their Kings, often met in the open Air, in General Councils of all *England*; and yet the *Danes*, of whom we have little account, but in their Wars or Treaties with the *Saxons*, had *Councils* by themselves; The *Welsh* with their several Kings, by themselves; And from before the reputed Conquest, there was at least one Palatinate, where an Hereditary Earl with Regal Jurisdiction, held *Councils* of the nature of distinct Parliaments.

3. Sometimes the Laws of a *Council* at one place, were received and ratified at another, as may particularly appear in the respective Ratifications of Laws, by the Great Men, and Free-holders of *Kent*, and the Citizens of *London*, in their respective Courts; and that, tho' it should seem that they had *Legati*, Deputies or Representatives, sent to the more General Councils.

4. The *British* Law of *Gavelkind*, which if we may credit that *French* Copy of Laws, which passes for the Laws of *W.* I. continued the Common Law of the Kingdom, even to that day; as it multiplyed common Inheritances, it did Crowns, within the several Monarchies here: and when the Choice of the People

had made Partitions between the Sons of their Kings, it became the more eaſy for the Freeholders, within the ſeveral Diviſions, to meet in their ſeparate Councils, without Repreſentation.

5. It does not appear, that the Freemen, or other Inhabitants of Cities and Boroughs, who were not Proprietors of Land, ever came to the *Great Councils* in Perſon; nor does it appear, that any one ancient Charter, in expreſs terms, gives 'em a right to ſend Members thither; but this was plainly the conſequent of being a *Gilda Mercatoria*, or Fraternity for Merchandizing, or Trade; in which, they having a common Intereſt, might eaſily, and naturally unite, in truſting that Intereſt in the hands of Headboroughs, or others, whom they might chuſe: 'tis certain, a Borough in *Devonſhire*, has in Parliament claimed the Priviledge of being repreſented by two of its Burgeſſes, from the time of King *Athelſtane*; nor was ſuch Claim rejected.

Tho' there were Tenures in thoſe days, they were not of any great weight in the Scale: three Incidents indeed, there were to all Lands, not upon the account of holding of the King, or any Perſon whatſoever, but in relation to the Preſervation of the Kingdom; in which reſpect, owners of Land may well be called, as they are in numbers of Records; *Liberè Tenentes de Regno*. Theſe Incidents were the Expedition, and the Repair of Publick Bridges and Caſtles, in proportion to the number of Acres, and nature of the Soil. Diviſions of Countries, I find as early as the year 664. by an Original Charter of that Date, and *Baronies* as it ſhould ſeem, there being *Barons:* but if the whole Nation was divided into *Baronies*, it muſt have been chiefly for Civil Juriſdiction, ſuch as inferior Lords of Manors exerciſed at their Leets; but the dependency of thoſe little Baronies upon the greater, ſeems to have been the conſequent of Charters of exemption from the Shire and Hundred Courts.

Which Charters were not granted at the meer Will and Pleaſure of their Princes, but by the conſent of their *Great Councils*; the want of which Conſent, occaſioned the Vacating ſome of 'em. One uſe of theſe, was, to make a certain Incorporation, uniting Men under one Head, who was the chief Officer, to anſwer for 'em to the Crown, in the Collection of Taxes; as I find the *Tunſhip*, that is, Townſhip of St. *Edmundsbury*, by a Charter of King *Cnute*, put under the *Muneke*, or Monk *Neode*, for

for the *Heregild* and *Shipgild*, the Tax for the Army, Navy; for which, when Taxes were granted, Lands were *geldable*, according to the number of Hides, or otherwiſe, as they had been Surveyed before the ſuppoſed Conqueſt, and new valued after, as they grew better or worſe. That Townſhip, was for the purpoſe I have mentioned, to have no other *Hadeſman* or *Headſman* but *Neode*, except their Biſhop: and this Headſman, I take to have been their Abbot, or of that nature: ſuch-like Matters obliged the Biſhops and Abbots, often to come to Court, with the Temporal *Great Barons*. Certain it is, the Conſtitution of *Clarendon* in the time of *Hen.* II. in affirmance of the ancient Cuſtoms, before that time, require the Spiritual as well as Temporal Tenants in chief, (who were immediately accountable to the King, for what was granted by others under their Juriſdiction,) to attend him at his Court, at *Chriſtmas*, *Eaſter*, and *Whitſuntide*; there they were an ordinary *Council*, and Judges under the King, and his *High Steward*: which great Officer, with the Martial, to execute the Proceſs, ſeem to have been by Tenure, even in the *Saxon* Times: thoſe Spiritual and Temporal Lords, I take to have been the Peers of the Kingdom, by whoſe Advice (according to the Confeſſors Law) the King was duly to Adminiſter the Government; but in Matters of common Concern to the whole Kingdom, it was a received Maxim, *What concerned all, ought to be treated of by all.*

It muſt not be denyed, That the Ballance of Power was then chiefly on the ſide of Property; and that, except in Cities and Boroughs, in Land, the Proprietors of which, as ſuch, were the Judges in the County Courts, and from thence united in the Great *Council*: if with Mr. *Harrington*, we ſuppoſe the Land divided among the Tenants, by Military Services; then we may believe Dr. *Brady* to be in the right, that they were the only Members of the County Courts; but then, according to his firſt interpretation of King *John*'s Charter, they, as the leſs Tenants in Chief, had general Summons to be in Perſon at the *Common Council* of the Kingdom.

That the Tenants by Military Tenures, were not the only Proprietors of Land, who were among the *Ordines Regni*, at the National Councils, before the time *W.* I. moſt will agree; nor is there colour to believe the contrary: but then many will have

it

it, that he in the right of a Conqueror, ſeiz'd all the Lands, and granted 'em out to his Followers, to hold by Military Tenure, that then begun your *Gothick* Ballance; but it will appear, that *WW.* I. entered with Title, from the Choice of the People of *England*, in the life-time of his Predeceſſor, and was elected after, upon his making a League in a *Council* at *Berkhamſtead*, where the great Body of the *Engliſh*, who never came up with *Harold*, to the Battel; according to the ſenſe of the Learned *Pufendorff*, which a certain Biſhop has uſed to a quite contrary Purpoſe, continued in a State of War with *WW.* till they had ſecured their Terms: after which, he was again formally Elected at his Coronation, upon taking the Oath of the *Saxon* Kings, and particularly, more than once, ſwore to the maintaining the Laws of the *Confeſſor*, or the approved Laws and Cuſtoms revived, or affirmed in his Reign. By one of his Charters, one would be induced to believe, that it was an ancient Uſage received by him, to repeat the Oath every *Chriſtmas*, *Eaſter*, and *Whitſuntide*: that he did not poſſeſs himſelf of, or pretend right to all the Land of the Kingdom, is evident to demonſtration, by the great Survey, called *Doomſday-Book*, in imitation of the like, made in the *Saxon* Times: yet a mighty Revenue fell into the Crown, by the Forfeitures of *Harold*, and others, who had taken Arms for *Harold*, or aſſiſted him: of thoſe Lands many were granted out by Military Tenure; which the Clergy would have an Argument, That the Nation was Enſlaved, becauſe they who had been exempted from all ſecular Services, were brought under this, tho' by a Law.

But it appears by that Survey, that great part of the Kingdom was omitted, being (as it ſhould ſeem) exempted from all feudal Services; and even where the King's feudal Tenants are entered, we find many under them, who held upon ther own, or Anceſtors Right, and that in the ſame manner as in the time of King *Edward TRE*, which ſome, by an unlucky Blunder, have taken for *Terra Regis Edwardi*: among thoſe under-Tenants, we find *Alodiarii*, who ſeem free from all feudal Services, and *Socmanni*, or *Socagers*; who, tho' they were Reſiant within the *Soca*, or Juriſdiction of a Mannor, held either by a Roſe or Pepper-corn, a ſmall quit Rent in Silver, or the like.

However,

However, the weight caſt into the Regal Scale, by the Forfeitures; moſt of which, I may admit, to have been granted out by Military Tenures, (yet not without a Parliamentary Conſent) together with the Reputation of that King's Arms, and the Wiſdom of his Adminiſtration, gave him an Authority, which freed the Crown from Pupilage: and yet, notwithſtanding all the Advantages of Power, which he had, with the great number of Foreigners ſetled here, as an Army in perpetual Pay, of whom many, before they could gain Eſtates here, were Quartered upon Religious Houſes, and by degrees, became their Tenants; *VV.* I. neither did, nor could violate the Conſtitution of this Government, invade the Property of Particular Perſons, or ſo much as pretend, to fix the Crown in his Family, without the conſent of the Nation: but at his Death-bed, plainly enough declared, he had no right to do this; and that if he ſhould attempt it, 'twould occaſion greater Diſorders than proceeded from his Acceſſion to the Throne.

The freedom of the Elections of Kings of the *Norman* Race, and their obligation to keep the *Saxon* Laws, is manifeſt, by the Standing *Ritual* for the Coronation of the time of *Hen.* I. agreeing in Subſtance, and for the moſt part in Words, with that which was ſetled in the *Saxon* Times.

For ſome part, at leaſt, of thoſe Times, the Clergy were properly a third State, in Mr. *Harrington*'s ſenſe, having a third part of the Property in Land: but it cannot be ſaid, that Property was ſo much the occaſion of their ſtanding up for the *Engliſh* Liberties, againſt the Encroachments of ſome of our Kings, as the ſubjection they were under to a Foreign Power: certain it is, their interpoſition often turn'd the Scale; but this was chiefly from a ſpiritual Authority, which is a Strength ſuperadded, both to your *Natural* and *Artificial Strength*; and very often, if not for the moſt part, has diſpoſed of both at pleaſure: but Religion has nothing to do with your Politicks.

If we take a ſhort View of the Period of Time, from the entrance of *VV.* I. to the 49th. of *Hen.* III. till which time, ſome will ſuppoſe, that Mr. *Harrington*'s *Gothick* Ballance, continued it's *Libration*; it will appear, that there was neither the *Gothick* Ballance, nor Mr. *Harrington*'s, nor yet your own.

When

When the Great *Councils* were ſummoned, upon ſpecial Occaſions; not coming upon the uſual fix'd day, the Tenants in Chief (for the moſt part, at leaſt,) had ſpecial Summons, and all the *Libere Tenentes de Regno*, Freeholders of the Kingdom, as well as Tenants by Knights Service, had a general Summons: often all that were able, came in Perſon; and ſometimes they choſe Repreſentatives: but the Citizens and Burgeſſes, who even after the Reign of *Hen.* III. were accounted the only Commons, ſent their Repreſentatives.

The Riſe to the ſpecial Summons, as I can ſhew from an Author of the time, began in the Reign of *Hen.* II. after his Victory over his Son, and the Great Men; who, by the inſtigation of the *French*, and the Home-Clergy, joined in that *unnatural War*: but the Body of the *Freeholders*, the *Grands* of the Counties, was ſo Great, that as *Matthew Paris* ſays of the *Baronage*, or Nobility of his time, *Quaſi ſub numero non cadebat*, they were ſcarce to be numbred.

That the Freeholders were at the Great *Councils*, either in Perſon, or by Repreſentatives of their own chuſing, is evident by many Records, before the 49th of *Hen.* III. and Dr. *Brady*, the great Advocate for a Conqueſt, and your ſuppoſed *Gothick* Ballance, which he takes to have been Eſtabliſhed by that, has given up the whole Controverſy, by an unlucky dividing the Clauſes of King *John*'s Great Charter; ſo, as to make the Tenants in Chief, a *Council* diſtinct from the *Common Council* of the *Kingdom*; and to allow, that the Intereſt there, of the Cities and Boroughs, and the Vills, Townſhips, and Farms in the Country, is expreſly provided for.

About the latter end of the Reign of *Hen.* III. an Alteration as to the Members of the Great *Council*, ſeems to have been fix'd: numbers of the Principal Nobility having been cruſhed by the fall of Earl *Mountfort*, had their Eſtates confiſcated, and were glad to venture their Perſons in that War, which engaged the Zealots of that time, for the recovering our *Saviour*'s *Sepulchre*. This made it the more eaſy for *Hen.* III. with the Citizens and Burgeſſes on his ſide, to leſſen the Power of the Proprietors of Land, the ancient Baronage of the Kingdom; and to content the inferior *Barons* with the Expectation, that in their turns, they might ſerve in Parliament, or be Repreſented by ſuch as they ſhould

ſhould chuſe. Yet at the firſt ſending Repreſentatives, and long after, they ſeem not to have put an entire confidence in their Deputies, but limited their Powers; and often, the Repreſentatives would not venture upon *arduous* and unexpected Matters, without conſulting their Principals.

But ſee how the Matter then ſtood, as to the Ballance between the *Artificial* and *Natural* Strength; the *Militia* ſtill ſtood upon the old Bottom: every *Freeman* was bound to be aiding to the King, to prohibit *unlawful Force*, and puniſh Offenders; and, as late as *Ed.* III. Men were to be Armed *as in the time of his Progenitors*; were not to go out of the Shire but in caſes of Neceſſity, and then were to Act for *the Defence of the Realm, as in Times paſt.*

I leave it for you to make out, how the Ballance ſtood within the ſeveral Periods; how upon comparing one Period with another; and how far the Conſtitution continued fix'd, if it ſubſiſted by your Ballance.

2. In the mean while, I take leave to ſhew very briefly, that the Scituation of our Kingdom, has leſs ſecured our Conſtitution, than its intrinſick Excellence, with the Valour and Integrity of the People: yet, its Preſervation has been chiefly owing to Divine Providence, ſupporting it under, if not by, ſome Alterations in the *Ballance*.

That the Scituation has not preſerved the Conſtitution, is evident, becauſe of the ſeveral ſucceſsful Invaſions of *Romans*, *Saxons*, *Danes* and *Normans*, I may add, of the *Picts* and *Scots*.

But, Gentlemen! you ſeem to have forgotten, that there is another diſtinct Kingdom, very Populous and Warlike, and an ancient Ally and Favourite of *France*, upon the ſame Iſland with us: in reſpect of which, we are upon a Continent which makes our State the leſs Secure.

And yet, it is the Obſervation of the Learned Chief Juſtice *Forteſcue*, that this Nation has from before the Entrance of the *Romans*, been ever Governed by the ſame Cuſtoms, which muſt be meant of the Fundamentals of Government; and it is his Concluſion, that therefore they muſt needs be the moſt Excellent.

The Excellence of theſe Laws, has made 'em worth Fighting for; the Valour of the Natives has rarely been wanting in time of need; and the ſincerity of their Intentions, was ever Crowned at the end.

But ſome there are, who would Eſtabliſh a *Common-wealth* up-

on Mr. *Hobbs*'s Principle, of conſidering Mankind as without God in the World: from whence they conclude with him, that *every Man will do all the miſchief in his power*.

Whatever truth there may be in that Obſervation, I cannot but think, there is more weight in *Grotius* his Proof of a Deity, from the manifeſtations of that Providence, which has in all Ages interpoſed, for the preſervation of that Form of Government which has been long Eſtabliſhed, and Baffles the Contrivances of Men, who think to Govern the World by Principles of fancy'd Mathematical certainty.

But, tho' you may think it a ſtrange Paradox, I need not ſcruple to affirm, That unleſs Providence had brought about Changes in the *Libration*, according to the various Exigencies, it had been morally impoſſible, that our Conſtitution ſhould have continued to this day. I might ſhew this by ſeveral Changes which have happened in relation to each of your Eſtates: but, take the *Lords and Commons* to have conſiſted only of Tenants; in Chief of the Crown, and their Tenants by Military Tenures, or that other Freeholders had the ſame Right; it muſt be granted, that from the time that the Perſonal Right of the lower Nobility, was changed into a Right of Repreſentation, the Ballance muſt needs have conſiderably altered one way or other: but, had the Perſonal Right continued to this day, the *Machine* of this Government muſt have been too unweildy to act regularly; eſpecially ſince the Statute of *Quia Emptores Terrarum*, which has ſpread the Property of Land into more hands; beſides the great Acceſſion to the Power of the lower *Nobility*, by the Diſſolution of Monaſteries, and Diſtribution of their Lands.

3. Which leads me to the more particular conſideration of your Compariſon, between the preſent *Militia* and the Army in queſtion; the Security from that alone, and the immediate danger to the Conſtitution, from this, or any part of it, even in Gariſon: but, before I enter upon this, it will be requiſite to ſhew, what is no part of the Queſtion, tho' artificially interwoven with it; and what is the true Queſtion.

1. The Queſtion is not of a *Standing Army* to be brought into our Conſtitution, as a continuing part of it; but of the keeping up a Land Force, till the *King*, and his *Great Council*, ſhall think our Religion, Laws, and Liberties, are in a good ſtate of Defence without 'em.

2. Much

3. Much leſs is it, of an unlawful Aſſembly, met, or kept together, without Law; ſuch (as you ſay) the Pentionary Parliament voted a Nuſance; tho' I confeſs, I do not remember any ſuch Vote: nor have I heard, that any Man had been ſent to the Tower, for what he had ſaid about Guards, but for counterſigning a Warrant for Commiſſionating a Popiſh Officer. Page 26,

3. It is not of an Army of *Mercenaries*, who are kept up without the Nation's Pay, and Conſent: which ſtrikes off all your Inſtances of Arbitrary Power, ſupported by the Armies of the Grand Seignior, and other Emperors, and Kings: who have colour of a Law, either for that Property in them, which frees 'em from any recourſe to the Subjects Grants, or for that Authority which commands the Property.

And *your own Oracle* would have taught you, that in thoſe places the Property commands the Strength, and not the Strength the Property: but, indeed, that Property is far from his *Agrarian*. But methinks, you might have left *Sweden* out of your Catalogue of Kingdoms, Enſlav'd by Armies of Mercenaries; ſince their Army is no other than a *Militia*; and the *Poles*, whom you own to be a Free People, have as much a Standing Army as the *Swedes*, only that they have not ſuch an Eſtabliſhment for their Pay. But, if the *Militia* ſhould be Regulated, according to your Propoſal, their Fund being perpetual, muſt render 'em more dangerous than an Army, which has no Pay, but from the free Gift of the People.

4. It is not, whether a *Militia* of Proprietors kept in Exerciſe, according to the Cuſtoms of thoſe Common-wealths, which you propoſe as our Pattern, would not be the moſt likely to ſecure Property, after they were made ſerviceable.

But it may deſerve conſideration.

1. What may be thought of your Notion and Inſtances of Armies, within the Seat of Government?

2. Whether we have not formerly had, what might as truly be accounted a *Standing Army*, as this in Queſtion? And what have been the conſequences of ſuch Force, or were likely?

3. Whether, ſince the Proprietors have forborn Exerciſe, and the lower ſort of 'em have been Diſarmed, to bring them in ſubj ction to the preſent *Militia*; (and this, by your own confeſſion, is not yet ſufficiently Diſciplined,) we may ſecurely

Disband all the Forces, while *France* keeps up theirs, and King *James* is yet at St. *Germains*, and has the Command of near 20000, *Irish*, *Scotish*, and *English*, Papists, kept in Pay by Contributions from hence, or the *Romish* Clergy abroad; besides the several Regiments in *Lancashire*, and elsewhere, ready Listed for his Service?

1. I hope you will pardon me, if I ask, What you mean by the *Seat of Government*? To keep strictly to your Notion of the *Ballance*, it must be meant, either of your Subject of Power, the King, Lords and Commons Assembled in Parliament, or of the Place of their Meeting; from which, all but your Old Friends, would agree, That the *Militia* ought to be kept, as well as other Forces. And yet, not long since, one of those *States* desired Forces to Guard 'em.

But, if you mean, the place or places Inhabited by them, with whom the Right has resided, of consenting to Laws in Person, or by Representation; your Observation of the *Roman* Law against a Generals passing the *Rubicon*, will not be to the Point: since that River only parted *Italy* from *Gallia Togata*, which enjoyed the *Roman* Laws and Liberties: and either the generality of the Proprietors of Land, or at least the Citizens of *Rome*, who had their Country Vills there, or exercised Trades, were part of the *Rural Tribes*.

But speaking of the *Romans*, among others; you say, none of those Nations, while they kept *their Liberties*, *were ever known* to maintain any Soldiers in constant Pay within *their Cities*; according to which, unless your Rule varies in this, as in other Matters, by the *Seat of Government*, you mean the Capital City; and thus the City of *Rome* was the Seat of Empire: but then, this wise Observation comes to nothing; since no Man pretends, That Regular Forces should be kept up in *London*, or indeed, any where in constant Pay.

But surely, you are very unfortunate, in urging to your Purpose; either, 1. The Wisdom of the *Romans*; or, 2. The Story of *Julius Cæsar*.

1. 'Tis certain, the *Roman* Politicks were quite contrary to yours: for they in Times of Difficulty, preserved their Liberties by Confidence, while you wou'd ours by Jealousy; and if your own Maxim holds from what has been, we may conclude from the Presidents they have set, that it is safer for the People to trust a *Great Man*, who is concerned for their Liberties, with a Power, which possibly may be injurious to them, than not to give him Power to Guard 'em. You very well know, of what consequence the Authority of their *Dictators* was: and whether *Pompy* ever had the Name, I will not say; but that he was the thing is past question; he having been trusted with the absolute Command of their Land and Naval Forces for *three Years*, with Power to make War and Peace, and even the Disposing of Kingdoms: and yet there was no Mischief from thence apprehended, or found by them, who were possessed of the Government at Home, tho' they had but your *Artificial Strength*, while the *Natural* was so largely, and so long with him, as upon your Principle, must have wrought a Dissolution of their Government. And, 'tis as evident, that in another particular, they were far from thinking, that their *Artificial Strength* must be destroyed, if the chief *Natural Strength* were trusted in other Hands than their own *Militia*; since they frequently put it into the Power of their Allyes, to ruine the *Roman* Legions, either before the Engaging with Enemies, or by turning to 'em in the heat of Action; two thirds of their Armies frequently being Auxillaries, and therein *Mercenaries*: which may occasion your striking the *Romans* out of the List of your wise Common-Wealths.

He had under him 120000 *Foot*, and 4000 *Horse*, *besides Power to make new Levies.*

2. Nor

2. Nor are you more Fortunate, in referring to the Story of *Julius Cæsar*, whose Actions are a nearer Parallel, than you seem willing to believe, to those, for which future Ages will admire King *William*, as much as the past'd have that *Great Man*, who, in your Opinion, *press'd on, to the total Oppression of the Roman Empire:* when, in all human probability, he alone preserv'd it. Of whom, it may not be improper to consider these Particulars:

So Oceana. Cæsar's Of *Arms extinguished Liberty.*

1. Who but *Cæsar* could, at that time, have added so vast Territories to the *Roman* Empire: subdued the Warlike *Germans*, subtle *Gauls*, and desperate *Switzers*; with such handfuls of Men, in comparison; and Men, sometimes struck with the greatest panick Fears, forgetful of all their Discipline, and even of late Victories?

2. Who but *Cæsar*, could then have preserved the *Majesty of the People of* Rome, violated in their *Tribunes*, by the insolence of the prevailing Faction of the *Senate*, who were upon Establishing an *Aristocrasy*; or else of *Pompy*, who would bear no Equal; and thought his former Victories, and a more numerous Army under his Command than *Cæsar's*, were able to set him over the Heads of Mankind? And who, tho' he had voluntarily quitted great Armies, while he maintain'd an unrivalled Superiority in the State, had certainly other Thoughts, when he found *Cæsar's* Glory to diminish his.

3. Who but *Cæsar*, would have used so much Lenity and Moderation, to a powerful Party at his Feet, which had been combined against him in Interest, and a mistaken Principle, of adhering to the supposed Right of that Government, which he displaced?

4. Who but he, could have removed the Prejudice against that Power which had been so tyranically Exercised by their Kings, who had made that Name, so deservedly odious among them; and yet, not only maintained the Power without any such imputation, but left his Memory consecrated to all future Ages, by the most popular Affection that ever followed a Prince to his Grave?

5. Who but he, could have set a Pattern for Military Discipline, which all the Refinements of Modern Studies, and Experience, pretend but to follow?

6. Who but he could, next to his *present Majesty*, be a greater Confutation of your Notion, of Governing the World by your Ballance of *Natural Strength*, or Mr. *Harrington's*, of commanding Strength by Property, and that in Land? since the Life of *Cæsar*, and his present *Majesty*, shew, That where the Divine Power marks out a Man for great Revolutions, it gives him an Authority of Influence, which is beyond all the Armies and Riches in the World. And I might add, that both their Lives are a confutation of your Principle; but rather Mr. *Hobbs's*, That *every Man will do all the Mischief he can:* and will, upon better Authority of Reason and Example, establish it for a Maxim, That *only an ill Man will do all the Mischief in his power; but a good Man will exert his, in beneficence to Mankind.* This is his chief and most natural Delight. I may add farther, to evince your unhappiness, in mentioning the Story of *Julius Cæsar*, that his Army was not only composed chiefly of Citizens of *Rome*, and therein of the nature of your *Militia*, but had not been kept *within the Seat of the Empire.* And therefore, was improperly urged, to shew the danger of keeping a *Standing Army* of Mercenaries within the *Seat of Government.* Nor will your instance of the *Lacedemonian* Politicks hold, if they kept any Standing Army in the Province of *Laconia.*

What-

Whatever hapned thro' the prolonging *Cæsar*'s Command, the wiſeſt Man of that Age, who ventured the fartheſt for the *Roman* Liberties, and ſhew'd, That he was far from being of *Cæsar*'s Faction, inſiſted upon it, that tho' he had ſubdued the *Gauls*, there was not yet a Peace *ſufficiently* ſetled; and if he were not enabled to finiſh what he had brought to that Head, they ought to fear the revival of a moſt dangerous War.

Vid. Cic. de Prov. Conſular.

2. But, let us a little Examine, Whether, if by the Seat of Government, be meant the Kingdom of *England*? We have not been uſed to Armies, much more likely to overthrow our Conſtitution, than the Force in queſtion can be imagined to be. If you think a little of our Story, and the nature of our Military Tenures, with the proportion they bore to all the *Freemen* of the Kingdom, who were to be Armed and Exerciſed according to the Diſcipline of thoſe Ages, and the Advantages the others had, and ſometimes took, of ſurpriſing them; you will find the Tenants by *Knights Service*, a much more numerous Army, with greater opportunities of deſtroying the Conſtitution; and that they went further towards it, than it can be thought, the Forces in queſtion ever will, or can.

It is generally agreed, that theſe Tenants made above 60000 Men; they had been obliged to attend the King at his Court, three times a Year, where all received Liveries, or other Donatives; and they were bound to him in Oaths, diſtinct from the Oath of Allegiance, and without expreſs regard to the preſervation of the Kingdom. King *John*'s Great Charter ſhews, that upon particular Occaſions, they were all to be Summoned; and beſides theſe, the Kings uſed to iſſue out Commiſſions of *Array*, or of that kind; one of which, I find as early as King *John*'s time, to all who had, or could procure, and bear Arms, to be at his Pay. Beſides theſe, the Kings had Soldiers conſtantly in Gariſon, and often kept Foreigners about their Perſons, and in ſuch numbers, as to give Terror to the Natives. In compariſon with ſuch a Power, having ſuch opportunities, What were the Proprietors of Land, and other Freemen, if the King at the head of his Tenants by Military-Tenure, and ſuch Foreiners, Servants, and indigent Perſons as he could raiſe, ſhould have had a deſign to Engroſs the Property of the Nation? 'Tis certain, part of your *Militia*, but rather a Standing Army oppoſite to the *Militia*, joined with Foreigners, in ſupporting King *John* in as great Extravagancies as ever the ſavage Mind of an Arbitrary Prince was carried to; and ſo far they once proceeded, towards ſubverting the Monarchy, that he and his Barons, which, as appears by ſubſequent Declarations in Parliament, were not all the *Baronage* of *England*, but his Court, or Army of Tenants, by Military Tenure, made a formal Donation of the Crown to the Pope, and made the King the Pope's Vaſſal; to whom he and your *Militia*, endeavoured to ſubject the Kingdom: and yet, notwithſtanding the Advantage of ſuch an Army, and the Superſtition of that Age, which diſpoſed Men to ſubmit to the Pope's Spiritual Authority, in order to Spirituals; the ſenſe of the *Engliſh* Liberties, and that Spirit which has ſo often rouzed it ſelf for the defence of 'em, had ſuch effect, as juſtifies the applying that of the Poet,

Surely, this is much more pertinent, than the Story of a General, who ſlew the Nobility at a Feaſt, which any other treacherous Man might have done.

Strong Virtue, like ſtrong Nature, ſtruggles ſtill,
Exerts it ſelf, and then throws off the Ill.

You

You seem to Triumph with your Questions to your Old Friends, whom you would have to be *Apostate Patriots*: 'How comes an Army necessary to our 'Preservation now, and never since the Conquest before? You desire to 'know, whether the prevailing Party in the Wars of *York* and *Lancaster*, ever 'attempted to keep up a Standing Army, to support themselves? and say, 'They had more sense, than to Sacrifice their own Liberty, and more Honour: 'than to enslave their Country, the more easily to carry on their own Faction. Pag. 25.

And farther, to gall the *Apostates*, as you call them, you ask, 'Whether the 'Spaniards were not as powerful, as good Souldiers, and as much our Enemies 'as the *French* are now? Was not *Flanders* as near us as *France*? And the 'Popish Interest in Queen *Elizabeth*'s time, as strong as the *Jacobites* now? 'And yet you say, That *most excellent Princess never dream'd of a Standing Army.* Pag. 25.

To take a little Breathing-time, before one answereth such stabbing Questions; tho' I shall not raise a Dispute, Whether *Calais* is not nearer than *Ostend*? or, Whether all the Force of *Spain*, could so easily come hither from *Flanders*, as that of *France* from the several Neighbouring Ports? However, it may not be improper to ask you,

1. Whether you do not here, and thro' out your Argument, beg the chief Question, in supposing, that every Army which is composed of other Men than your *Militia*, is, and must be, a *Standing Army*?

2. Whether you do not go upon the Supposition, that because a Peace is Signed and Ratify'd, and we are, or may be, in such a State of Defence as you imagine, that therefore there can be no need of an Army, but to support a Faction?

3. Whether that *Faction*, according to the occasion of your applying it, must not be intended, that Party which would support the Right of his *present Majesty*, against the Pretensions of the late *King*?

But for a direct Answer to your Questions; I submit these Particulars to your consideration.

1. That the contending Parties at the time of the Division of the two Regal Houses, made use of all the Assistances they could gain, both of Foreigners, as well as the Subjects of this Kingdom: and particularly, the first who set up a pretence of Right against the Choice of the Nation, had so little *Honour*, as to endeavour to enslave his *Country* to an absurd Notion of *Divine Right*, and to cram it down with the help of Wild *Irish* Cut-Throats.

2. The prevailing Party in these Times, had the disposal of that Force, which, as I have shewn, was of the nature of a *Standing Army*, besides the *Auxiliaries*, by Commissions of *Array*, and the Souldiers in Garrison, both here, and at *Calais*, and other Parts of *France*; from whence, they could easily be brought hither.

Over and above all these, for full Answer to your whole Argument, but more particularly to your Question, *Whether the prevailing Party in the Wars of* York *and* Lancaster, *ever attempted to keep up a Standing Army to support themselves*? it will appear, that your Question here, was as hasty as your Censures; for they did the very thing, which you are sure they abhorr'd; and the Commons of *England*, in your sense, *Signed and Sealed their own Ruin.* Pag. 30. *Cotton's Ab.*

Thus, 31 *Hen.* 6. they granted 20000 Archers for the *King's Service*, to be kept up for half a year: of these the King remitted 7000; but for 13000 every 31 *H.* VI. n. 11. n. 15.

ry County was to bear its proportion: Theſe, I take it, the King had power of keeping up, for as many half Years ſucceſſively as he thought fit: which I am induced to believe, by what is in *Cotton*'s Abridgment of the Year, and the Parliament Roll, 12 *Edw.* II. when Arrears due, by Virtue of the Act, 31 *Hen.* VI. were remitted.

But *Hen.* VI. in conſideration of a Sum of Money, granted by the Commons, beſides what was appointed for maintaining the Army of *Archers*, was content to reſpite the Levying of 'em for three Years, unleſs drawn to it by great neceſſity.

And, probably, that very Reſpite coſt him his Crown, or poſſibly the providing for their continuance, only half-yearly.

Rot. Parl. 12 *Edw.* IV. n. 8. But the Parliament, 12 *Edw.* 4. being deſirous to take more effectual care, for the *Weal and Suret of the Realm, and the King's Royal Eſtate*, give him Power, by Perſons whom he ſhould ordain, to Levy 13000 Archers, to be

Rot. Parl. 13 *Edw.* 4. n. 41. kept up for a year at Pay, provided by Parliament: and the next Parliament provide for the ſame Number, for another year.

This, Gentlemen! I hope, may ſatisfie you, That maintaining an Army of *Mercenaries* within the Kingdom, for a convenient time, is not Unparliamentary.

Whatever Advantages *Edw.* IV. might have had, for Enſlaving the Nation with his 13000 Archers, to back the Divine Right which then began its Triumph; yet, among the Reſtrictions which ſecured the Conſtitution, we may well ſuppoſe, there was ſome Force, in the remembrance that this Parliament did not ſuffer him to begin his Reign, before he had been formally *Elected*; and after that, he was *Elected* again.

3. The Misfortune of *Hen.* VI. who was by a weak, or treacherous Counſel, prevailed upon to truſt *Richard* Duke of *York*, with the Lieutenancy of *Ireland*, and other Advantages; which raiſed him firſt, to a competition for Power, and then for the Crown; may be of profitable Example to future Times.

4. It appears, that then, as now, they who were for the Duke of *York*, maſked their Deſigns under the popular pretence of preſerving the Liberties of their Country. This pretence ſet up *Jack Cade* with an *Athenian*, or *Achaian Militia*, of Coblers, and other Mob; as they imagined, to reform the State: but in truth, only to change their Maſters, and to ſacrifice the more Divine Right, founded upon the choice and intereſt of the People, to a miſtaken Notion, which, of it ſelf, abundantly confutes your Fancy of ſupporting Governments, by a well-poizing the *Ballance* between your three States; ſince this Infamous pretence to Divine Authority, almoſt without Arms or Money, ſapps the very Foundations of Civil Governments, and greatly diſables where it does not overthrow.

Pag. 25. 5. I ſhould think it paſt Queſtion, That Queen *Elizabeth*, when threatned with the *Spaniſh* Invaſion, did dream of what you account a *Standing Army*. Here I muſt take leave, to encounter the Authority of your Aſſertions with Mr. *Cambden*, who informs us, That beſides 20000 Men, which I take to be *Militia*, placed along the Coaſts of *Suſſex*, that excellent Princeſs raiſed *two Armies* of Choice, well Diſciplined, and Experienced Men; one under the Earl of *Leiceſter*, conſiſting of 1000 Horſe, and 22000 Foot, incamped at *Tilbury*; the other under Lord *Hunſdon*, conſiſting of 34000 Foot, and 2000 Horſe, to Guard the Queens Perſon.

And

And yet, the then Council of War, did not think this ſufficient for the Defence of the Kingdom, againſt ſo powerful an Enemy; but adviſed the Fortifying and Manning *Milford-haven*, *Falmouth*, *Plimouth*, *Portland*, Iſle of *Wight*, *Portſmouth*, all about the *Downs*, *Thames* Mouth, *Harwich*, *Yarmouth*, *Hull*, &c.

That the Force then raiſed under thoſe two Lords, was a *Standing Army*, within your ſenſe, and apprehenſion of Danger, is evident: For,

1. It was not the ordinary *Militia* of the Kingdom.

2. It exactly agrees with your Definition of a *Standing Army*, where one of you takes to himſelf the Glory of the Argument: 'for here were 'Horſe and Foot raiſed under *Commiſſions* granted by the *Queen*, with Swords 'and Piſtols, Pikes and Muskets, Powder and Ball, to kill Men. Or, if they had not Muskets, they had the moſt dangerous offenſive Weapons then in uſe, as well as defenſive.

Letter from the Author of the Argument. Pag. 5. *Now I'll tell you, Sir, what I apprehend a* Standing Army *to be.*

Here was what you muſt confeſs to have been, of the nature of a *Standing Army* of 59000 Diſciplined and Experienced Men: by your Argument, they ought never to have been raiſed, becauſe of the danger of their being *always Standing*; and indeed, this muſt be ſuppoſed according to your uſual way of begging the Queſtion, and your very Definition of a *Standing Army*. And I ſhould be glad to hear one good reaſon, Why 15000 or 20000, ſhould be more dangerous now, than 59000 were then? Unleſs you will ſay, we have not ſo much reaſon to truſt King *William*, as the Nation had to believe, that Queen *Elizabeth* would not uſe thoſe Forces, for the deſtroying the Conſtitution.

Whatever her Inclinations might have been, the Power of *Spain*, and competition of the Queen of *Scots*, were ſufficient Reſtraints; and no Man can imagine, that His preſent Majeſty, who could not be tempted to invade the Liberties of *Holland*, at the Head of a Powerful Army, tho' invited, and preſſed to it, by neighbouring Princes; ſhould not think the Power of *France*, and pretended Title of the late *King*, to be ſtrong Arguments on the ſide of that Moderation, and love to Laws; which, of themſelves, without Foreign Conſiderations, may aſſure us, that it is morally impoſſible for His Majeſty, to quit the Glorious Character of *Deliverer*, derived from his Anceſtors, and imbelliſhed by his own Actions.

Nor, need I obſerve the obvious Reaſons, Why a Proteſtant Succeſſor is leſs to be feared than a Foreign Popiſh Prince, who has 300000 Men in Pay; has a Navy at leaſt not much inferior to Ours; and according to your Maxim, will certainly do all the Miſchief in his Power; and has fewer Obſtacles: For,

1. Due Proviſion is made, for the Meeting and Sitting of the Lords and Commons, upon the Death of His Majeſty; which will give them the opportunity of making Terms, if they have any apprehenſion, that the Succeſſor would make ill uſe of his Power.

2. The Succeſſor coming to the Crown, by Virtue of the Act of Settlement, muſt neceſſarily ſtand upon that Bottom, which will make the National Intereſt his own.

3. By illegal Violences, he would make void his Title, and give that Advantage to the late King, or pretended Prince of *Wales*, which no Man in his right wits could.

4. The Recent Example, muſt needs be too freſh in his Memory, for him eaſily to give way to thoſe Flatterers, who would pervert his Judgment.

5. It is not to be preſumed, That the Revenue of the Crown will be cleared from Anticipations, and ſetled longer than for King *William*'s Life; and Soldiers are not likely to ſerve a Prince, who can have no proſpect of paying 'em without their conſent, againſt whom you fear, they ſhould be Employed.

I will agree with the judicious Author of the *Argument rectifyed*, That a Prince of the ſame Religion with his People, may be tempted to deſtroy one Party, for the ſake of another; yet 'tis certain, no inſtance of this, is applicable to our preſent Circumſtances: but, where the only Title by which Princes claim, is founded upon a Principle of Slavery, as is that Divine Right of Birth, aſcribed to *James* I. and his Succeſſors, till *William* III. no wonder, that they ſhould be the only Favourites, who would contribute to the Enſlaving a Free People: If the Nobility and Gentry, in
Pag. 22. whoſe Hands you think the Nation will always be ſafe, are at any time given up to that Deluſion; a *Militia* will do our buſineſs much more effectually than a great Force, tho' all Foreigners. If *Charles* I. had had 20000 Men before-hand with the People, had but the People been animated with a common ſenſe of the Oppreſſions they lay under, and the Right the Conſtitution has given 'em of freeing themſelves, that 20000 would ſoon have moulder'd away, or turn'd on the Peoples ſide for Bread. But, the moſt of the *Nobility* and *Gentry*, except them who had learn'd Wiſdom at the Feet of *Gamaliel*, a Speaker of the Houſe of *Commons*, ſo ſtrongly ſupported the then Queen's Popiſh Counſels, that *England* had been loſt, unleſs it had been help'd from *Scotland*: and yet Mr. *Hobbs* will tell you, *Charles* I. might have ſubdued all that oppoſed him, had he acted without any regard to the Conſtitution, and encouraged his Party with hopes of the Spoil of the Nation: that is, had not the King been better inclined than his *Nobility* and *Gentry*, the common Man muſt have worn Wooden Shoes before this time.

But, whatever the chance of Civil War has, or might have been, 'tis impoſſible that a Nation divided againſt it ſelf, between Friends and Enemies to *Liberty*, ſhou'd long ſtand. If the Diviſions grow high, and towards an equality, this will deſtroy the Conſtitution without Armies: which was evidently the Caſe of *Denmark*, however you are pleaſed to repreſent it.

I wiſh I could ſay, we have no Diviſions of any conſequence among us; yet I cannot but ſay, 'tis to me matter of Aſtoniſhment, that Men, whoſe love to the Conſtitution of this Monarchy, had ſubjected 'em to the Scorn and inhuman Violencies of your *new Patriots*, ſhould, out of ſimple good Nature, quit thoſe Advantages which this Revolution had given 'em; not only to ſecure themſelves againſt Tyranny for the future, but to turn the Scale of Power to their ſide: and that, while *Liberty* is the Word, taken up by thoſe who muſt mean a Freedom from this Government; honeſt Men, who lay gaſping at the Feet of theſe *new Leaders to Liberty*, ſhould chuſe, for the ſake of the Word, to give themſelves up to their former State of Bondage; when they might be ſecured of Liberty by

by that Power, which reſtored it; nor, unleſs they give in to their former *Taſk-maſters*, need fear, as you ſuggeſt, that thoſe ſhould ſupplant 'em in a Prince's Favour, to whom they muſt be true, if they will be true to their own Principles; while the others at the beſt, can be but *Renegadoes:* and yet, *Deſerters* from the Enemy, will certainly deſerve more Favour than our own *Deſerters*.

But, whatever the private Thoughts and Cabals may be of the Party which has ever oppoſed His *Majeſties* Right; a Republican muſt be the Cats-foot to ſerve the Zealots for a *French Monarchy*; who would be loath at this time, to be thought ſo regardleſs of our common Safety in his Majeſties Life, as to argue, That 15000 Men *will bring as certain Ruine* upon us, as if they were *as many Millions*: your Reaſons for which, I ſhall not at preſent examine, ſince by the ſame Rule of Proportion, 15 Men will bring as certain Ruine as 15000; at leaſt, you know, 50 Men brings it up to the Story of *Piſiſtratus*. Pag. 12.

And thus, by nearer conſequence than any thing in your Argument, not only the Horſe and Foot-Guards, but the Yeomen and Band of *Penſioners* ought to be diſmiſs'd; nor ſhould any of our Maritime Towns be Gariſon'd, but be left open, becauſe Foreign Popiſh Princes are more to be truſted than a *Proteſtant King*.

But, Gentlemen! as you ſay of others, 'tis evident, *all your Fear lyes one way*; if there were any of that circumſpection which becomes Wiſe Men, you would with your Friend, who has gently corrected your Argument, have an Eye towards *France*: whoſe Truth I ſhould rather call in queſtion, than King *William*'s. You may obſerve from your Friend, the Wealth of their Clergy, who would bleed freely for a Religious War; that the Poverty of the Nation may render their Armies the more formidable; and that the poſſibility is not remote of an Union between *France* and *Spain*: to which, I may add, That if this ſhould happen, *Holland* muſt give up its Ships to the diſpoſal of ſuch a Neighbour, upon the Continent.

However, in the mean time, you would do well to teach our *Admiralty*, how many Ships they ought to place about *Falmouth*, or the *Lands End*, and how many in the Channel: ſo that, one of the Squadrons ſhall not only be able to fall upon the *French*, from which ſoever of their Ports, or with whatever Wind they come; but, to be ſure, that the Squadron which firſt meets 'em, ſhall not be beaten; or if it ſhould be diſabled, the Ships which remain, ſhould repel the united Naval Force from *Thoulon*, as well as the Ports near our Coaſts. Pag. 19.

I may here remind you of your Maxim; *What hapned yeſterday, will come to paſs again*: You know Foreigners have often Landed upon us with great Forces, in ſpight of all our precaution; and *Native* pretenders, of any Reſolution, have ſeldom wanted great Numbers from abroad, to make 'em dangerous to them, who have been in poſſeſſion of the Government. And there have been Times, when notwithſtanding full notice of intentions of Invading us, the Arming at Land, and the utmoſt care of Naval Force, have not prevented the Landing of great Armies: for which, I need inſtance only the ſucceſsful Attempt of *William* I. who, if we believe the moſt Authentick Hiſtorians of and near the time, Landed with 50000 Horſe men, or the better ſort of Soldiers, beſides Foot: yet it cannot be forgotten, that the Pag. 5.

diſaffected Party here, were in ſuch readineſs when the *French* Armies were kept at a Bay by the Allies, that they deſired only 10000 from abroad.

Suppoſe at leaſt that by a miracle, a great Foreign Force ſhould Land among us, or come from *Scotland*, which is part of our Continent, what Proviſion have you made for receiving 'em otherwiſe, than with open Arms?

No doubt you expect in an inſtant to commence better Engineers than Monſieur *Vauban*, to fortify your ſelves, or retake any of our Martine Towns, tho' fortify'd chiefly againſt the Land, as it were on purpoſe to try your Skill. No doubt a Roman Common-wealth wherein the Plough-man was *General*, and every Artificer a diſciplined Soldier, will ſtart up to ſupport your *Regular Militia*: or elſe that, having in 'em all the valour of the Nation, 40000 which is not 1000 for every County in *England* and *Wales* (and by the *Militia*-Laws, are not to ſtir out of the County, but upon an Inſurrection, Rebellion, or Invaſion) will ſecure all places from Ravage, and then your 20000 kept in a Body, will be able to reſcue the Spoil out of their Hands. After all, the miſchief of it is, that you have not allow'd your 20000 *Heroes*, a Months time for making themſelves as Expert Soldiers as they who were at the Siege of *Namur*: yet they may be allowed to bear Fireing as well as the *Norfolk* and *Suffolk Militia* did, within time of Memory, upon the Landing of a *Dutch* Company.

But ſhould Men ſomething more inured to the Hardſhips and Dangers of War, be continued for the Encouraging and Diſciplining theſe; I would gladly know which would anſwer your pleaſant Simile of Clipp'd Money; and if the ſame Act of Parliament which provided for the longer ſubſiſtance of ſome of theſe Forces ſhould preſcribe a method for Regulating the *Militia*, would it not ſpoil a good Jeſt? And would not your Story about the Voting Guards a Nuſance be Urged as wiſely as thoſe proceedings, not long ſince, when your *ſteddy Patriots*, after full notice that there are 14 or 15000 Men in Pay, how big ſoever they talk'd, were ſo far from abating the Nuſance, that they Voted 700000*l.* beſides the 200000*l.* of a former Summ, remaining Uncollected: which was by plain intendment for the continuance of the Nuſance; which a certain Patriot would have coloured over with the pretence, that might be apply'd to the Navy.

But what greater abſurdity can there be, than to argue from the ſafety in ſuch *Militia's* as were of Old, to the preſent? or how fairly do you repreſent your Friend Mr. *Harrington*, whom you pretend to follow, as laying the Foundation of his *Oceana* in a *train'd Militia*; when it is a *Militia* which he would have eſtabliſhed after the Example of the Ancients, to the ſetting aſide of yours: which after all the noiſe, you make with it, not only is ſupply'd by Hirelings, but they from a ſmall part of the Proprietors: In the Counties none are chargeable who have not 50 *l.* a year or 600 *l.* in Money, and in *Cities* only the Houſe-keepers ſend; who make the leaſt part of the People who are concern'd for the defence of Property: and 'till very lately, the Papiſts and Nonſwearers choſe the Men who were to ſerve for them: and you know they would chuſe ſuch as they could rely on.

This *Militia* I muſt own is as well apply'd to your Notion, as your Stories: and you are as conſiſtent with your ſelves as with Mr. *Harrington*: for whoſe *Ballance* of Power in Property of Land, you have deviſed ſuch a Ballance as never was, nor will be: that is, if one can take it right, ſuch a proportion

of

natural ſtrength in the Hands of each of your *States*, as ſhall of it ſelf, without regard to the obligation of Laws and Duty, enable each of them to ſecure their ſhare in the Government, and keep 'em together in a condition only not Immortal: and after all, this is not conſiſtent with the care expreſſed for preſerving the King as one of the *three States*: unleſs his Property be at leaſt equal to either of the other: for the *Militia*, you ſay ought to be in the Proprietors, and where the *Militia* is, there you ſay will be the *Government*; upon this account, a Friend of yours of greater calmneſs, but leſs caution, is ſo open as to argue, that the Crown ought not to be truſted with the *Militia*: but I leave it to him and you to agree, whether the *Militia* is now in the Hands of the King, or of the Nobility, Gentry and Freeholders. Pag. 4. *Vid. of Militia's, & Standing Armies?* Pa. 19 and 22.

And I ſhall leave it to your Friendly Corrector to convince you, that he has made the only concluſion to your premiſes, which is, that all the Males of the Nation ſhould be brought to the uſe of Arms: I may add, the reſtoring this, which our Conſtitution required, would be a more effectual way than you propoſe, for ſecuring our Liberties: and if the other part of the Conſtitution were maintain'd, requiring all to be Sworn to *the King* and *Kingdom*; it would ſecure the Crown, that our Liberty ſhould not be turn'd into *Licentiouſneſs*. *Argument refiſyd.* Pag. 20. *Argument.* Pag. 16.

But if you will ſtick to your new Friends, you muſt quit theſe great Points of that Conſtitution for which you ſeem ſo much concern'd: you may remember, they would have made an attempt of the firſt at *Boden Downs*, Treaſon, in the late Earl of *Warrington*; and the other comes too near an Oath of *Abjuration*, to be Reliſh'd by them.

As to your Examples and Applications; ſince you have put me upon Scriptural Alluſions, I cannot but reſemble 'em to *Nebuchadnezzar*'s Viſion, where the ſhining Image with a Golden Head, had Feet of Iron and Clay.

It may, poſſibly, be my misfortune to make an Inglorious Addition to your Triumph over their *Confidence*, who preſume to offer any thing contrary to that with which you have a third time *importun'd the publick*: and whether this laſt *pang* be not a third Birth of the *Mountain*, neither you nor I are fit to determine. *Preface to the Second part of the Argument.*

But when Men have a warmth for an argument, ſome would be apt to reſemble 'em to that happy *Athenian*, who fancy'd himſelf owner of all the Ships in the Harbour: 'tis certain matters the moſt diſtant and contrary, ſhall be preſs'd into the Service: nor has this more appear'd in your firſt Part, than in the ſecond.

When the heat of your Argument is over, it might be no hard matter to convince you, how little reaſon you have to apply the conceſſion of a Parliament 7 *H.* 3. about Wardſhips, to what were likely to be the conſequence of a Parliament's truſting His Majeſty with ſuch Forces as they ſhould judge neceſſary for the publick ſafety. Becauſe notwithſtanding the better Authority you have for this, than for moſt of your other Stories; it is a very great Queſtion, whether the Act about Wardſhips was more than declaratory of that part of the Feudal Law received here long before.

2. Whatever of that kind was given to *H.* 3. there was not that neceſſity, which would be anſwerable for the conſequences of what is now your only fear.

3. The

3. The consequences of a Confidence in such a Prince as *H.* 3. would be no Argument against trusting *W.* 3.

Second part. Pag. 10. As to the instance of the illegal Violences of *R.* 2. by an Arm'd Force; besides that, they were encouraged by the Opinions of such Judges as His Majesty has secured us against; and that the Force was such as any ill Prince may draw together without the assistance of Regular Troops, legally raised and kept up; the event is some confutation of your Argument: since his Life Guard of 4000 Archers, supported by *Westminster-hall*, were not able to keep the Crown upon his Head.

First part. Pag. 1. After all your Flourishes about *our Guard of winged Coursers*, which render *England*, tho' not surrounded with the Water, *Mediâ insuperabilis Undâ*: At last you are so condescending, to admit the *French* may *Land* 20000 *Men in our Country*: and why not as many as *W.* 1. Landed with?

Second part. Pag. 20. But then you will have it, that we must needs destroy their Shipping and cut off their Supplies: To be even with you in concessions; I will admit it certain that we shall be superiour at Sea, tho' our first Squadron should be disabled: But then you must agree to me, that if they Land, and with the Party they have here overturn the Government; even our Ships must come under them, or seek their Fortunes elsewhere.

Indeed as you can see no danger from the *French*; you have provided an Army to Beat 'em if they should Land upon us; and that without the help of your *Train'd Militia*: these are the Army of Scythe and Club-Men, who were ready to Encounter the *French* upon the false alarm of their Landing at the Island of *Purbeck!* Yet you should consider,

1. If these are able to resist a *French* Invasion, much more could they keep off the danger of such an Army at home, as you suppose would ruin us as certain as by twenty Millions.

2. The Consternation *London* was in when they thought the Disbanded *Irish* were coming thither; may convince you how different the case would be, if the *French* should Land near *London*, or only King *James*'s his *Irish* Army; who have Fought very well when they had not their Bogs to fly to, and, at the decisive Battel justify'd your own Observation, *that it was almost a miracle we* Conquer'd 'em.

Yet I believe you are very much out in your Reck'ning, when you affirm, or insinuate, that we had 8000 Horse, and above 30000 Foot in *Ireland* for four Years before we Conquer'd 'em; the much less number with which Duke *Schomburg* Landed, and secured his Footing, 'till he could have further Supplies; may be a farther confutation of your Argument, that a numerous *Militia* must needs Starve the Forces which can Land from abroad: besides you well know, that the *Irish Militia*, thro' our divisions here, and the artifices of some of your new Friends, had full time to become a disciplined Army, with the help of the *French* mix'd with 'em.

But, Gentlemen! since you will have it, that the *Irish Troops* are the *French* King's, and *no Man but a publick* Boutefeu, *would have the confidence to say, he will lend them to King* James *to invade us*; to convince you, that they will rather deserve this Character, who insinuate, that there is more danger from King *William*, and his Successor, upon the Act of Settlement; than from a *Reconciled Enemy*, by several Parliaments called the *Ancient Enemy* of this Realm;

be

be pleaſed to read the laſt *Paris Gazette*, printed by Authority, which ſtiles the *late King*, *King of Great Britain*; and our King only *the King*: but cannot ſurely, mean, *the King of Great Britain*; it being certain, there is but one ſuch King. If therefore, we may credit the *Paris Gazette*, the *Iriſh* are ſtill the *late King's* Subjects; and for *France* to ſuffer him to uſe his own Subjects, can be no *lending them*, and therefore, no infraction of the Peace; not to mention other plain conſequences, which I hope, may be prevented: yet, if can hardly be thought, that wary *Gazetteer*, would ſo often, as he does, aſcribe that Stile to the *late King*, were it not from ſome aſſurance that there ſhould be no Regular Troops to oppoſe him; or on purpoſe to encourage a Party to perſiſt in their clamour againſt them. *Paris Gaz. Dec.* 14.

The obvious conſequences of this News from *France*, which I think none of you will deny, might ſerve for a confutation of all your labour'd Arguments: Yet if more be wanting to make you a little leſs aſſur'd of enjoying your Triumph; I may thank you for ſupplying me with the Authorities you have cited, or referr'd to, in your laſt Effort.

You may pleaſe to remember, in your Firſt Part you had theſe words: *I believe no Man will deny, but if* Charles I. *had* 5000 *Men before-hand with us, the People had never ſtruck a ſtroke for their Liberties.* Now, if I prove from your own Authorities, that he had above 7000 Men before-hand, will it not be very unlucky? *Argument. Pag.* 14.

You have thought fit, out of *Ruſhworth*, to cite Sir *Robert Cotton*'s Advice to *Charles* I. who tells that King, *the dangerous Diſtaſtes to the People, are not a little improved by the unexampled Courſe, as they conceive, of retaining an Inland Army in Winter Seaſon.* If you look a little backwarder in *Ruſhworth*, you will find, of how many this Army ſo retained, conſiſted: this was the Army which had been in the unfortunate Expedition to the Iſle of *Rhee*: for which, they firſt Ship'd 6 or 7 thouſand Land-Soldiers, and after, added 1600 *Engliſh* and *Iriſh*: Wherefore, notwithſtanding our loſs, it may well be ſuppoſed, that above 7000 remained: theſe, as you inform us from Sir *Robert Cotton*, were kept up: circumſtances ſhew, it was in a time of Peace: 'twas in the Third of his Reign, before ever the People thought of ſecuring themſelves; and therefore the King had the greater opportunity of enſlaving 'em: and tho' *Charles* I. then manifeſted his Arbitrary Diſpoſition, had been beforehand with the People with ſuch a Force, and was twelve years after ſubduing the Nation, by the help of his *Clergy*, *Nobility* and *Gentry*, who perſuaded and enabled him, to keep off the Meetings of Parliaments; yet, that generous Horſe, which you give for our Hieroglyphick, threw off its Rider; but, after its proud prancing in the Field, where it was goared with Wild Beaſts, again ſhew'd it ſelf manageable; till the Folly and Cruelty of the Hereditary Riders forc'd it, to chuſe that gentle Hand, which no doubt, may ſoon truſt it with a looſe Rein. *Ruſhowh.* f. 19. f. 427. f. 463.

What is now fit, is ſubmitted to the Judgment and Proviſion of His *Majeſty* and His *Parliament*: which, as it has declared, That the keeping a *Standing Army* within this Kingdom *in time of Peace, unleſs it be with conſent of Parliament, is againſt Law*; admits the Suppoſition, That there may be good cauſe for keeping up Regular Forces, with ſuch conſent, even in Times of Peace; at leaſt, while a Peace is young; and the means of preſerving it, are under conſideration.

Not here to repeat your Miſtakes in Fact or Application, I ſhall deſire

you

you to consider, Whether truth of History, and right Reason, will
these Propositions as certain as any of your Maxims?

1. That all Governments are subject to such Accidents, as
times, require more than usual Confidence to be plac'd somewhe

2. This may be requisite, not only in time War, but in the se
Peace, from Abroad; If there happen any violent Agitation of di
or Corruption in any of the Constituent Parts of the Government,

3. In case of Danger from Abroad, Distrust is more likely to be
Confidence; and has the more frequently had such Effects.

4. The Choice and Interest of the People, ought to determine
Confidence is to be placed; and this Choice and Interest more effe
serve that manner, in which the King, Lords and Commons, are
invested with Authority, than your imaginary Ballance between the
and *Artificial Strength*.

After all, Mankind is so subject to Error, and their Judgments of
differ so much, according to the Light in which they are set; that
had any consideration of this, and but the least spark of kinde
Friends; you would have been less forward in your Charge of *Apo*
Men who have shewn a tenderness to the *Liberties of their Country*; of w
are few Examples but among *Englishmen*. For my self, should I be as
mistaken both in Premises and Conclusion, as I think you are, and could
appear yet more fully; I shall hope never to lose the Character of
for the Publick, in which I can never yield to you: how much
undiminished *Stake provided for any one of you*, by his Ancestors, may
him above,

Letter to the Author of the Ballance, p. 7.

GENTLEMEN,

Your humble Servant

ERRATA.

Pag. 13. *l.* 18. *for* become, *r.* became. *p.* 15. *l.* 19. *for* and, *r.* of. *r.* Common Weal. *p.* 16. *l.* 9. *for* they, *r.* there, *p.* 18. *l.* 24. *for* Countries, *r.* Co
p. 19. *l.* 1. *r.* and Navy. *p.* 20. *l.* 2. *after* Tenure, *r.* and. *p.* 30. *l.* 23. *for* the
r. his.